IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION CRIMINAL CASE NO. 1:17-cr-00003-MR-DLH

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.) <u>ORDER</u>
MARK DUNAJSKI,)
Defendant.))

THIS MATTER is before the Court on the Defendant's *pro se* letter, which the Court construes as a motion requesting copies of sealed pleadings from the court record [Doc. 34].

The Defendant has filed a Notice of Appeal [Doc. 35], thereby divesting this Court of jurisdiction over this matter. See Griggs v. Provident Consumer Discount Co., 459 U.S. 56, 58–59 (1982) (per curiam) ("The filing of a notice of appeal is an event of jurisdictional significance -- it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal."). Moreover, the Defendant is now represented by appellate counsel. [See Doc. 39]. The Court does not ordinarily entertain motions filed by a criminal defendant who is represented

by counsel and who has not formally waived his right to counsel. <u>See LCrR 47.1(g)</u>.

IT IS, THEREFORE, ORDERED that the Defendant's *pro se* letter, which the Court construes as a motion requesting copies of sealed pleadings from the court record [Doc. 34], is **DENIED**.

IT IS SO ORDERED.

Signed: January 12, 2018

Martin Reidinger

United States District Judge